

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
**Erik Erbe, et al.**

Confirmation No.: **1963**

Application No.: **10/771,077**

Group Art Unit: **1651**

Filing Date: **February 3, 2004**

Examiner: **Allison M. Ford**

For: **Biocompatible Bone Graft Substitute**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION**

**Remarks** begin on page 2 of this paper.

**REMARKS**

A Notice of Allowance was issued for the present application on November 7, 2006. The Applicants note that during prosecution, provisional double-patenting rejections were made over U.S. Application No. 10/973,781 and U.S. Application No. 10/973,972. The present application is the first application to issue; therefore no terminal disclaimers are required to be filed in connection with this application.

Pursuant to 37 CFR § 1.56, the Applicants submit herewith a Supplemental Information Disclosure Statement.

Date: January 24, 2007

/Stephanie A. Barbosa/  
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